

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL
OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA,
HELD TUESDAY, MARCH 28, 2006, AT 7:00 P.M.**

The meeting was called to order by Mayor Elaine M. Scruggs, with Vice Mayor Thomas R. Eggleston and the following Councilmembers present: Joyce V. Clark, Steven E. Frate, David M. Goulet, H. Philip Lieberman, and Manuel D. Martinez.

Also present were Ed Beasley, City Manager; Pam Kavanaugh, Assistant City Manager; Jon Paladini, Deputy City Attorney; and Pamela Hanna, City Clerk.

COMPLIANCE WITH ARTICLE VII, SECTION 6(c) OF THE GLENDALE CHARTER

A statement was filed by the City Clerk that the eight resolutions and five ordinances to be considered at the meeting were available for public examination and the title posted at City Hall more than 72 hours in advance of the meeting.

APPROVAL OF THE MINUTES OF THE MARCH 14, 2006 CITY COUNCIL MEETING

It was moved by Goulet, and seconded by Frate, to dispense with the reading of the minutes of the March 14, 2006 regular City Council meeting, as each member of the Council had been provided copies in advance, and approve them as written. The motion carried unanimously.

BOARDS AND COMMISSIONS

BOARDS AND COMMISSIONS

This is a request for the City Council to approve the recommended appointments to the following boards and commissions that have a vacancy or expired term and for the Mayor to administer the oath of office to those appointees in attendance.

| | | | Effective Date | Expiration Date |
|--|--|-------------|-------------------|--------------------|
| Ad-Hoc Event Advisory Committee | | | | |
| Ruben Gutierrez | Parks & Recreation Advisory Commission Appointee | Appointment | 03/28/2006 | 02/28/2008 |

Citizens Transportation Oversight Commission

| | | | | |
|---------------|----------------------|---------------------------|------------|------------|
| Al Lenox | At-Large (Cholla) | Chair Appointment | 03/28/2006 | 03/26/2007 |
| Michael Testa | Yucca (Cactus) | Vice Chair Appointment | 03/28/2006 | 03/26/2007 |

Commissions On Persons With Disabilities

| | | | | |
|---------------------|---------------------|-------------|------------|------------|
| William P. Jacovini | Mayoral (Cholla) | Appointment | 03/28/2006 | 02/27/2008 |
| Richard Bailey | Ocotillo | Appointment | 03/28/2006 | 02/27/2007 |

Community Development Advisory Committee

| | | | | |
|-------------------|--------|-------------|------------|------------|
| Susan W. Jernigan | Barrel | Appointment | 04/01/2006 | 04/01/2008 |
|-------------------|--------|-------------|------------|------------|

Library Advisory Board

| | | | | |
|-----------------------|--------|---------------------------|------------|------------|
| William Walsh, Jr. | Cholla | Chair Appointment | 04/13/2006 | 04/13/2007 |
| Theodore L. Krogulski | Yucca | Vice Chair Appointment | 04/13/2006 | 04/13/2007 |

Parks & Recreation Advisory Commission

| | | | | |
|------------|--------|-------------|------------|------------|
| Eric Simon | Barrel | Appointment | 03/28/2006 | 04/09/2008 |
|------------|--------|-------------|------------|------------|

Planning Commission

| | | | | |
|------------------|--------|---------------------------|------------|------------|
| Richard Schwartz | Yucca | Chair Appointment | 03/28/2006 | 03/28/2007 |
| Doug Ward | Cholla | Appointment | 03/28/2006 | 03/25/2008 |
| Doug Ward | Cholla | Vice Chair Appointment | 03/28/2006 | 03/28/2007 |

The recommendation was to make appointments to the Boards and Commissions and administer the Oaths of Office.

It was moved by Martinez, and seconded by Frate, to appoint the applicants listed above, for the terms listed above, to the Ad-Hock Event Advisory Committee, the Citizens Transportation Oversight Commission, the Commission on Persons with Disabilities, the Community Development Advisory Committee, the Library Advisory Board, the Parks & Recreation Advisory Commission, and the Planning Commission. The motion carried unanimously.

Mayor Scruggs issued the oath of office to the newly appointed Board and Commission members: Al Lenox, Michael Testa, William P. Jacovini, Richard Bailey, Susan W. Jernigan, William Walsh, Jr., Theodore L. Krogulski, Eric Simon, Richard Schwartz, and Doug Ward. She thanked the new members for their willingness to share their time, talents, and knowledge.

PROCLAMATIONS AND AWARDS

PROCLAIM APRIL 17–23, 2006 AS NATIONAL COMMUNITY DEVELOPMENT WEEK

Mayor Scruggs called Mr. Robert Koehler forward to accept the proclamation.

This is a request for the City Council to proclaim the week of April 17 through 23, 2006 as National Community Development Week. Mr. Robert Koehler, Community Development Advisory Committee Chairperson, will be present to accept the proclamation.

This year will mark the 32nd anniversary of the Community Development Block Grant (CDBG) program. The theme for this year is "CDBG: Moving Communities Forward."

The CDBG program has been in operation since 1975, providing local governments with the resources to help address critical needs as identified by the community. Over its 30 years of existence, the program has emphasized the importance of local priorities and the need to develop strong relationships between local government, citizens, and non-profit agencies. During National Community Development Week, recognition will be given to the thousands of participants and programs that demonstrate the partnerships and the quality and effectiveness of this valuable program.

Glendale began receiving CDBG funds in 1977 from the U.S. Department of Housing and Urban Development (HUD). Over the last 29 years, the city has received approximately \$42.9 million for the purpose of improving the physical and social conditions of Glendale residents. In Fiscal Year 2004-05, \$2.67 million in CDBG funding leveraged over \$3.55 million of other state, local and private funds. In addition, we also leverage \$4.55 million from agencies providing direct services to our residents. This resulted in a total of \$10.77 million in benefit to our community relative to CDBG, four times the actual CDBG grant award. Examples of CDBG funded activities include:

Housing Rehabilitation Programs – Glendale homeowners are directly assisted through a variety of programs, which include the Residential Rehabilitation, Replacement Housing, Roof Repair/Replacement, and Exterior Improvement programs. Additional programs provide home accessibility modifications and emergency home repairs. Last fiscal year, over 414 Glendale families benefited from these essential programs.

Homeownership Opportunities – The city partners with non-profit agencies to enable Glendale residents to become homeowners through infill housing and first-time homebuyer programs.

Elimination of Slum and Blight – Through our Voluntary Demolition Program, dilapidated, vacant structures are demolished and cleared to eliminate blighted/dangerous conditions and encourage redevelopment. Last fiscal year, this voluntary program eliminated nine substandard, dilapidated structures from the city's neighborhoods.

Public Facilities and Improvements – This program provides funding for the construction or renovation of public facilities, such as youth centers and community centers. The funding also supports neighborhood improvements, such as sidewalks, curb cuts, and streetlights. The Boys & Girls Clubs of Metropolitan Phoenix, YWCA of Maricopa County, and St. Mary's/Westside Food Bank Alliance all recently benefited from this program.

Human Services – This program allocates funds to non-profit agencies offering social service programs, such as employment services, legal counseling services, and other general assistance for seniors, youth, disabled persons, domestic violence victims, and homeless prevention. In Fiscal Year 2004-05, over 15,800 persons and 399 households benefited from these programs.

In recognition of the tremendous contributions of the CDBG program on a national and local level, staff is requesting that Council recognize the accomplishments of the CDBG program through a proclamation supporting the observation of National Community Development Week.

The recommendation was to issue a proclamation recognizing National Community Development Week in Glendale, April 17 through 23, 2006.

Mr. Collier thanked the Mayor and Council, stating grants from the CDBG program over the past year have assisted thousands of people and hundreds of families in the Glendale area by providing funding to programs that offer essential services. He said the Committee identifies community needs based on the priorities established by the Council. He stated the city's existing infrastructure allows CDBG funding to be used to develop low-income infill housing. He stated a number of the organizations supported by CDBG funding are involved in housing rehabilitation. He said the funding is also used to assist to demolish and remove blighted structures and

to prevent or moderate homelessness. He stated funding also benefits victims of domestic violence and provides for youth healthcare and meals for the elderly. He introduced members of the Committee present, Susan Ferrell and James Ferocho.

CONSENT AGENDA

Mr. Ed Beasley, City Manager, read Agenda Item Numbers 1 through 3 and Ms. Pamela Hanna, City Clerk, read consent agenda resolutions numbers 4 through 10 by number and title.

Councilmember Lieberman requested that Item 9 be pulled from the Consent Agenda.

1. PROFESSIONAL SERVICES AGREEMENT - NORTHERN AVENUE STORM DRAIN, 45TH TO 63RD AVENUES

This is a request for the City Council to approve a professional services agreement with Stantec Consulting Inc., for the design and construction administration services for a storm drain in Northern Avenue, between 45th and 63rd Avenues.

For several years, the properties adjacent to Northern Avenue, between 45th and 63rd Avenues, have experienced flooding during heavy rainfall. Design is scheduled to be complete by December 2006. Construction will begin in early 2007, and will be coordinated around scheduled mega events.

On November 2, 2005, a Request for Proposals was sent to over 50 professional engineering firms and three proposals were received. An evaluation team consisting of staff from the Transportation, Engineering, and Field Operations departments short listed and interviewed two of the firms, selecting Stantec Consulting Inc. as the most qualified to perform the required services.

Construction of the storm drain will increase safety for the traveling public on Northern Avenue by reducing the amount of water on the streets. Properties adjacent to Northern Avenue will also experience much less flooding, improving the quality of life for the citizens as well.

At least one public meeting will be held to discuss the project.

Funds for the design and construction administration are available in the Fiscal Year 2005-06 and Fiscal Year 2006-07 Capital Improvement Program budget in Northern Drain – 45th to 63rd.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | X | | X | | \$748,032 |

Account Name, Fund, Account and Line Item Number:

FY 05-06 Northern Drain – 45th to 63rd; Account No. 65-9308-8330; \$475,000
FY 06-07 Northern Drain – 45th to 63rd; Account No. 65-9308-8330; \$273,032

The recommendation was to approve the professional services agreement with Stantec Consulting Inc. in the amount of \$748,032.

2. EMERGENCY SERVICES CONTRACT – SEWER LINE REPAIR

This is a request for the City Council to approve the emergency services contract with C.S.&W. Contractors, Inc. for response to, and replacement of, an aged sanitary sewer line that collapsed October 17, 2005, on Myrtle Avenue, from 55th to 57th Avenues.

One of the Council's goals is to provide high quality services for citizens. The work performed helped to preserve a safe environment for citizens by maintaining necessary sewer services.

In late October of 2005, an aged sewer line on Myrtle Avenue, from 55th to 57th Avenues, collapsed. An emergency by-pass of the collapsed sewer line was completed, avoiding imminent sewer backup into adjacent homes and businesses. As the damage was assessed, city staff determined that the entire sewer line was in need of replacement. C.S.&W. Contractors, Inc. completed the sewer line replacement repairs including trenching, replacement of the 8" sewer line, and three manholes.

Funds are available in the Capital Improvement Program Sewer Line Replacement account.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | X | X | | | \$282,606 |

Account Name, Fund, Account and Line Item Number:

Sewer Line Replacement, Account No. 84-9623-8300

The recommendation was to approve the emergency services contract with C.S.&W. Contractors, Inc. for response to, and replacement of, an aged sanitary sewer line that collapsed October 17, 2005, on Myrtle Avenue, from 55th to 57th Avenues, in the amount of \$282,606.

3. CONSTRUCTION MANAGER AT RISK AGREEMENT – INFRASTRUCTURE INTERSECTION IMPROVEMENTS

This is a request for the City Council to approve a Construction Manager at Risk (CMAR) Agreement with Achen-Gardner Engineering, LLC for a fee of \$329,780 to provide pre-construction services for infrastructure street and intersection improvements at various locations.

One of the Council's goals is to provide high-quality services to citizens. Improving and providing transportation options within the city will assist in achieving this goal.

On November 6, 2001, voters approved funding to construct street and intersection improvements throughout the city. These street and intersection improvements will include pavement widening, raised medians, curb, gutter, sidewalk, landscaping, streetlights and traffic signal modifications.

A notice for a Request for Qualifications was sent out to contracting firms and two proposals were received. Both firms were interviewed on February 22, 2006. The interview committee, consisting of staff from the Engineering and Transportation Departments, and a senior executive from a licensed contracting company, selected Achen-Gardner Engineering, LLC as the best-qualified firm to perform the required services.

The CMAR places emphasis on integrating design and construction phases of a project. Flexibility in project scheduling is a key consideration. Construction project scheduling flexibility will aid the city in managing traffic and multiple projects while ensuring the timely delivery of street and intersection improvements.

Achen-Gardner Engineering, LLC, as the CMAR, will provide pre-construction services for \$329,780. The Guaranteed Maximum Price for the construction of these street and intersection improvements will be presented to the Council at later dates. The project limits include improvements along (1) 75th, 83rd and Glendale Avenues, (2) 67th Avenue from Camelback Road to Bell Road, (3) 43rd Avenue from Bethany Home Road to Peoria Avenue, (4) 51st Avenue from Camelback Road to Bell Road, and 59th Avenue at Camelback Road and Bethany Home Road.

Since June of 2003, the Council has approved six professional services agreements for the design of these infrastructure street and intersection improvements, totaling \$3,432,163.

Construction of pavement widening, raised medians, curb, gutter, sidewalk, landscaping, streetlights, and traffic signal modifications will provide greater safety, improved traffic flow less congestion, and many aesthetic enhancements.

This project was presented at public meetings held as part of the Glendale Onboard Transportation Program. Also, public meetings have been held for each design project.

The Engineering Department staff negotiated a fee for the pre-construction services phase with the CMAR in the amount of \$329,780. Funds for the pre-construction services phase are available in the Fiscal Year 2005-06 Glendale Onboard Transportation Program.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | X | | X | | \$329,780 |

Account Name, Fund, Account and Line Item Number:

75th/83rd/Glendale Street Improvements, Account No. 33-9486-8330 (\$71,963)
 67th Avenue: Camelback to Grand, Account No. 33-9478-8330 (\$23,987)
 43rd Avenue: Bethany Home to Peoria, Account No. 33-9490-8330 (\$83,937)
 67th Avenue: Olive to Bell Road Improvements, Account No. 33-9479-8330 (\$23,987)
 51st Avenue: Camelback to Grand, Account No. 33-9450-8330 (\$83,937)
 59th Avenue, Account No. 33-9463-8330 (\$41,969)

The recommendation was to approve the construction manager at risk agreement with Achen-Gardner Engineering, LLC for pre-construction services in the amount not to exceed \$329,780.

CONSENT RESOLUTIONS

4. ACQUISITION OF RIGHT-OF-WAY FOR INTERSECTION IMPROVEMENTS

This is a request for the City Council to authorize the purchase of a property to complete a Glendale Onboard (GO) intersection improvement project at a total cost of \$101,669.

One of the Council's goals is to provide high-quality services for citizens. Improving and providing transportation options within the city will assist in achieving this goal.

Scalloped streets and intersection improvement projects have been previously identified in the GO Program. The city needs to obtain right-of-way to construct related street improvements that include right-turn lanes, bus bays and merge lanes, as well as new curbs, gutters, sidewalks, and landscaping.

The property needed for acquisition is described below:

67th and Bell, LLC – 67th & Bell, LLC, the owner of property located near the northeast corner of 67th Avenue and Bell Road, will sell approximately 2,682 square feet of property towards improvements at this intersection. The property owner is willing to grant a temporary easement to the city on the property for construction of improvements. The property owner will be compensated a total of \$100,960. The cost of the property to be acquired for right-of-way is \$55,660 in accordance with the appraised value. Other costs for improvements total \$45,300, and include items such as electrical conduit, landscape and other improvements. Closing costs for this property are \$709.

These projects were included in the Capital Improvement Program budget process and funding is available from the half-cent transportation sales tax program.

GO Program improvements are being made to streets, transit, and pedestrian facilities. These projects will provide bus bays and improve pedestrian and traffic flow.

The GO Program provides multiple opportunities for public input. Last year, an annual report was mailed to all Glendale households, a transportation fair was held on April 17, 2005, and a community meeting for the annual report was held on April 21, 2005. Project specific public meetings will be conducted in the design phase.

City of Glendale funds for right-of-way acquisition are budgeted as part of the GO Transportation Program.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | X | | X | | \$101,669 |

Account Name, Fund, Account and Line Item Number:

67th Ave: Olive to Bell Rd Imp, Account No. 33-9479-8100 (\$101,669)

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to execute all documents necessary to purchase the right-of-way for the Glendale Onboard (GO) Transportation Program in an amount not to exceed \$101,669.

Resolution No. 3940 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ACQUISITION OF PROPERTY AS RIGHT-OF-WAY FOR INTERSECTION IMPROVEMENTS FOR THE GLENDALE ONBOARD TRANSPORTATION PROGRAM; AND DIRECTING THE EXECUTION OF ANY DOCUMENTS NECESSARY TO EFFECTUATE SAID PURCHASE.**

5. GRANT SUBMITTAL FOR 71ST AND ORANGEWOOD AVENUES PARK DEVELOPMENT

This is a request for the City Council to approve an Arizona State Parks Heritage Fund Local, Regional and State Parks (LRSP) Grant application in the amount of \$650,718 to develop 12-acres of the community park site at 71st and Orangewood Avenues and to accept the grant if awarded.

The development of this park will further the Council's strategic goal of providing a city with high quality services for citizens. The development of the park is also consistent with the Parks and Recreation Master Plan, which was adopted by Council in 2002.

In 1987, the Flood Control District of Maricopa County (FCDMC) conducted an Area Drainage Master Study (ADMS) for the West Valley. Included in the report, was a recommendation to design and construct several drains, retention, or detention basins along Orangewood Avenue from 67th Avenue to New River. In May of 1994, the city entered into an Intergovernmental Agreement (IGA) with the FCDMC for the west side flood control project. The IGA authorized the FCDMC to design and construct a flood control basin on the southwest corner of 71st and Orangewood Avenues. In November of 2002, the site was deeded over to the city to be maintained and become a city park.

This will allow the city to develop a 38-acre community park, that will include amenities, such as multi-purpose football/soccer fields with lights, play equipment, basketball and volleyball courts, ramadas, pedestrian pathways, and open turf areas.

The 2002 Parks and Recreation Master Plan identified the 38-acre property as a future community park. Due to the growth in the surrounding neighborhood and the funds currently available in the Capital Improvement Plan, Parks and Recreation is currently proceeding with Phase I, the development of five acres of this property as a neighborhood park.

Phase II, which will be partially funded by this grant, will include developing the retention basin into a full-service community park. Phase II will include 4 multi-purpose sports fields, lighting for one field, restroom facilities, an informational kiosk, signage, landscape, irrigation, and a small ramada complex. Once completed, the park will contain a variety of passive and active recreation opportunities.

In May of 1994, the Council authorized the IGA with the FCDMC. In March of 2000, the Council approved the purchase of the 16.22 acres. In November of 2002, the Council approved the deed transfer from the FCDMC for the remaining 22 acres. On January 10, 2006, the City Council approved the design contract for development of construction plans and construction administration for the Phase I portion of this park.

The development of Phase II of the park will help the city meet the standard level of service of one acre of community park land per 1,000 people and service the population residing within a one to three mile radius around the park as recommended in the Parks and Recreation Master Plan. The park will provide neighborhood and community recreation amenities currently not available in the service area, and further the city's commitment to providing quality of life opportunities for all residents.

The initial public meeting for the future park at 71st and Orangewood Avenues was held on July 14, 2005. Attendees indicated a need for an aesthetically pleasing facility that will attract recreational opportunities for not only the neighborhood, but also the community. The final master planning for Phase I occurred on September 15, 2005. Citizens were enthusiastic about the opportunity to provide a variety of outdoor recreation programs and activities, including lighted soccer fields. The public will have numerous opportunities to provide input into the final design of Phase II to ensure the facilities meet the needs of the community.

The total cost for this project, which includes field lighting, turf and landscaping, irrigation, ramada, kiosk, signage, restrooms and concessions is \$1,401,436. The Heritage Fund grant request is for \$650,718. A specific account will be established in Fund 47, the city's grant fund, for the Heritage Fund Grant amount if the grant is awarded to the city. Match funding for this project, in the amount of \$750,718, is available from Development Impact Fees (DIF) and is in the Fiscal Year 2006-07 preliminary Capital Improvement Plan.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-------------|
| X | X | | | | \$1,401,436 |

Account Name, Fund, Account and Line Item Number:

Park Development: 71st/Orangewood 80-8933-8330

The recommendation was to waive reading beyond the title and adopt a resolution approving an Arizona State Parks Heritage Local, Regional and State Park Grant application described herein; authorizing the required matching funds; and authorizing acceptance and implementation of the grant in accordance with all applicable federal, state and local regulations, policies, and Heritage Fund contractual guidelines.

Resolution No. 3941 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING THE ARIZONA STATE PARKS FY 2006 LOCAL, REGIONAL AND STATE PARKS HERITAGE FUND APPLICATION FOR THE 71st AVENUE AND ORANGEWOOD PARK MULTIUSE SPORTS FIELDS PROJECT.**

6. INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA,
GOVERNOR'S OFFICE FOR CHILDREN, YOUTH AND FAMILIES DIVISION
FOR COMMUNITY AND YOUTH DEVELOPMENT

This is a request for City Council authorization to enter into an intergovernmental agreement (IGA) with the State of Arizona, Governor's Office for Children, Youth and Families Division for Community and Youth Development, to accept an Arizona Civil Rights Project (ACRP) grant award in the amount of \$3,221. This grant award will reimburse the city for the majority of its costs for conducting a Martin Luther King Day of Service project on January 14, 2006.

Entering into this IGA meets the following Council Strategic Goals: maintaining high quality services for our citizens; and developing one community, with strong neighborhoods.

Each year since January of 2000, the city, through its Community Volunteer Program, has partnered with the Make A Difference Organization and community volunteers from throughout the Valley to conduct a Martin Luther King Jr. Day of Service project in Glendale. For 2006, the Community Volunteer Program was able to leverage contributions from additional partners, including a funding opportunity from the Governor's Office of Children, Youth and Families and volunteer efforts from the Maricopa County Juvenile Probation Department. The Governor's Office for Children, Youth and Families and the Governor's Commission on Service and Volunteerism (the Commission), through the support of the Corporation for National and Community Service, offered ACRP grants to communities throughout Arizona to continue the legacy of Dr. Martin Luther King, Jr.

ACRP grants are designed to have a positive impact on disadvantaged youth by engaging juvenile probationers and community volunteers in service to community and state on or around the Dr. Martin Luther King, Jr. federal holiday. The goal of the grant program is to honor the memory of Dr. Martin Luther King, Jr. by applying his teachings to address challenges facing Arizona communities.

On January 14, 2006, seventy volunteers came together to make improvements to the Glendale Family Development Center, whose mission is to help break the cycle for families struggling with illiteracy, abuse and poverty. The volunteers worked a total of 420 hours for an estimated value of \$7,577.

This project resulted in needed improvements to the interior and exterior of the Glendale Family Development Center, making it more appealing to its service recipients and the community at large. The Glendale Family Development Center provides food, clothing, and childcare assistance and counseling services to children and families. During calendar year 2005, the center served 2,520 Glendale residents.

As a result of this IGA, the city will receive a grant of \$3,221 from the Governor's Office of Children, Youth and Families, for its coordination of the 2006 Martin Luther King Jr. Day of Service Project, in Glendale.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|---------|
| X | | X | | X | \$3,221 |

Account Name, Fund, Account and Line Item Number:

MLK Day of Service Project 47-7878-7330

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an intergovernmental agreement with the State of Arizona Governor's Office of Children, Youth and Families Division for Community and Youth Development to accept an Arizona Civil Rights Project grant award in the amount of \$3,221.

Resolution No. 3942 New Series, was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF AN INTERGOVERNMENTAL AGREEMENT WITH THE GOVERNOR'S OFFICE FOR CHILDREN, YOUTH AND FAMILIES DIVISION FOR COMMUNITY AND YOUTH DEVELOPMENT FOR THE ARIZONA CIVIL RIGHTS PROJECT, DAY OF SERVICE FUNDING.**

7. AUTHORIZATION TO SELL HIGHWAY USER REVENUE BONDS

This is a request for the City Council to adopt a resolution ordering the sale, by competitive bid, of highway user revenue bonds in an amount not to exceed \$16 million. The bond proceeds will fund various projects included in the city's Capital Improvement Plan (CIP).

In November of 1999, Glendale voters authorized the issuance of \$411 million in bonds for various capital improvements in the city, including street improvements.

The bonds will fund projects authorized by the 1999 election and are payable from revenues to be derived from taxes, fees, charges and other moneys collected by the State of Arizona and returned to the City for street and highway purposes.

Contingent upon Council's approval, staff will proceed with the publication of the resolution authorizing the sale of the bonds. Staff will also prepare and publish an "Official Statement" for the bonds. The Official Statement will be sent out to potential underwriting firms who are interested in buying the city's bonds. In addition, staff will present the rating agencies with information about the financial strengths of the city and staff will work in conjunction with the city's financial advisor and bond counsel to monitor the changes in the marketplace and legal disclosure issues that may arise.

It is currently anticipated that underwriting bids will be received on April 11, 2006. Once the proposals are received from the underwriting firms, staff and the city's financial advisor will evaluate and verify the bids received to assure their accuracy and benefit to the city. The recommended bid will then be brought to the Council for review. The Council can accept the recommended bid by adopting the bond ordinance, which is currently scheduled for consideration at the April 11, 2006 meeting.

Budgeted CIP projects that will be funded by this transaction include Bethany Home Road from 91st to 99th Avenue, 91st Avenue from Camelback Road to Maryland Avenue, 67th Avenue from Camelback Road to Grand Avenue, and 91st Avenue from Camelback Road to Maryland Avenue.

The bonds will be paid from the city's share of state gas tax revenue.

The recommendation was to waive reading beyond the title and adopt a resolution ordering the sale, by competitive bid, of highway user revenue bonds in an amount not to exceed \$16,000,000 of highway user revenue bonds.

Resolution No. 3943 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ORDERING THE SALE OF NOT TO EXCEED \$16,000,000 PRINCIPAL AMOUNT OF CITY OF GLENDALE, ARIZONA STREET AND HIGHWAY USER REVENUE BONDS, SERIES 2006; AUTHORIZING CERTAIN OTHER DOCUMENTS AND THE TAKING OF CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ORDER OF SALE; AND DECLARING AN EMERGENCY.**

8. AUTHORIZATION TO SELL GENERAL OBLIGATION BONDS

This is a request for the City Council to adopt a resolution ordering the sale, by competitive bid, of general obligation (GO) bonds in an amount not to exceed \$30 million and GO refunding bonds not to exceed \$10.5 million. The bond proceeds will fund various projects included in the city's Capital Improvement Plan (CIP). The refunding bonds reduce interest cost on outstanding debt.

In November of 1999, Glendale voters authorized the issuance of \$411 million in bonds for various capital improvements in the city including flood control projects, economic development, transit, government facilities, landfill, water and sewer, parks and street improvements.

The bonds will fund projects authorized by the 1999 election and are payable from property taxes levied on all taxable property within the city.

Contingent upon Council's approval, staff will proceed with the publication of the resolution authorizing the sale of the bonds. Staff will also prepare and publish an "Official Statement" for the bonds. The Official Statement will be sent out to potential underwriting firms who are interested in buying the city's bonds. In addition, staff will

present the rating agencies with information about the financial strengths of the city and staff will work in conjunction with the city's financial advisor and bond counsel to monitor the changes in the marketplace and legal disclosure issues that may arise.

It is currently anticipated that underwriting bids will be received on April 11, 2006. Once the proposals are received from the underwriting firms, staff and the city's financial advisor will evaluate and verify the received bids to assure their accuracy and benefit to the city. The recommended bids will then be brought to the Council for review. The Council can accept the recommended bids by adopting the bond ordinance, which is currently scheduled for consideration at the April 11, 2006 meeting.

Budgeted CIP projects that will be funded by this transaction include Public Safety Training Facility Phase 1, Loop 101 Sound Walls, Police Digital Communication Software Upgrade, and citywide Street Beautification.

The bonds will be paid from the city's secondary property tax. There will be no increase in the city's total property tax rate as a result of the issuance of the proposed general obligation bonds.

The recommendation was to waive reading beyond the title and adopt a resolution ordering the sale by competitive bid of general obligation bonds in an amount not to exceed both \$30,000,000 of general obligation bonds and \$10,500,000 of general obligation refunding bonds.

Resolution No. 3944 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ORDERING THE SALE OF NOT TO EXCEED \$30,000,000 PRINCIPAL AMOUNT OF CITY OF GLENDALE, ARIZONA GENERAL OBLIGATION BONDS, SERIES 2006A AND NOT TO EXCEED \$10,500,000 PRINCIPAL AMOUNT OF CITY OF GLENDALE, ARIZONA GENERAL OBLIGATION REFUNDING BONDS, SERIES 2006B (WHICH SUCH BONDS MAY ALL BE SOLD IN ONE SERIES); AUTHORIZING CERTAIN OTHER DOCUMENTS AND THE TAKING OF CERTAIN OTHER ACTIONS IN CONNECTION WITH THE ORDER OF SALE; AND DECLARING AN EMERGENCY.**

10. CALL OF 2006 ELECTIONS

This is a request for the City Council to adopt a resolution to call the 2006 Primary Election for September 12, 2006 and the General Election for November 7, 2006. The resolution identifies the key dates for the election.

Municipal elections promote increased citizen involvement in all aspects of municipal government.

On May 17, 2005, the voters of the City of Glendale voted to move regular elections to a fall cycle. This question was referred to the voters by the City Council on January 25, 2005.

The recommendation was to waive reading beyond the title and adopt a resolution calling for municipal elections for 2006.

Resolution No. 3946 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, DESIGNATING THE ELECTION DATES AND PURPOSE OF ELECTIONS (PRIMARY ELECTION: SEPTEMBER 12, 2006; GENERAL ELECTION: NOVEMBER 7, 2006); DESIGNATING THE DEADLINE FOR VOTER REGISTRATION; DESIGNATING THE PLACE AND THE LAST DATE FOR CANDIDATES TO FILE NOMINATING PAPERS; AND ORDERING THAT THE CITY CLERK PUBLISH THIS CALL OF ELECTION.**

Leonard Clark, a resident of the City of Glendale Barrel District, said he is glad to see the City Council is still promoting a better lifestyle in Glendale, stating it is one of the best places in the world to live. He commended the city for associating itself with the ideals of Dr. Martin Luther King, stating children need to follow his example of conflict resolution through peaceful means. He stated the Highway User Bonds and General Obligation Bonds will make sure the city maintains its quality of life. He stated he likes the idea of a co-op. He said he hopes to vote in the upcoming election, stating he has a renewed appreciation for democracy.

It was moved by Eggleston and seconded by Clark, to approve the recommended actions on Consent Agenda Item Nos. 1 through 8 and 10, including the approval and adoption of Resolution No. 3940 New Series, Resolution No. 3941 New Series, Resolution No. 3942 New Series, Resolution No. 3743 New Series, Resolution No. 3944 New Series, and Resolution No. 3946 New Series. The motion carried unanimously.

9. U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE
COOPERATIVE AGREEMENT

Mr. Ray Shuey, Chief Financial Officer and Mr. Bill Brewer, Materials Manager, presented this item.

This is a request for the City Council to authorize entering into a purchasing cooperative agreement (agreement) with the U.S. Communities Government Purchasing Alliance (U.S. Communities). The agreement permits the purchase of materials and services from nationally awarded contracts at the prices and terms that were negotiated by a lead government agency. There is no fee involved with this agreement.

Entering into this agreement with the U.S. Communities Government Purchasing Alliance will provide a fiscally sound position through cost savings and an expedited process of meeting operational needs.

U.S. Communities is a nationwide strategic sourcing program designed by public purchasing professionals for use by government agencies and public-benefit non-profits throughout the country. The Association of School Business Officials International, the National Association of Counties, the National Institute of Governmental Purchasing, the National League of Cities, and the United States Conference of Mayors, jointly sponsor the U.S. Communities Government Purchasing Alliance.

Cities, counties, schools, higher educational institutions, special districts, state agencies, and nonprofits ranging across all 50 states use U.S. Communities as an important strategic sourcing tool. U.S. Communities is a nonprofit agency of government that assists in reducing the cost of purchased goods by pooling the purchasing power of public agencies nationwide. This is accomplished through competitively solicited contracts for quality products through lead public agencies. This resolution is to permit execution of the membership agreement. Some of the products that are available through the various U.S. Communities contracts include: office supplies, office furniture, janitorial supplies, electrical supplies, playground equipment, homeland security products and hardware items.

Council previously approved the use of an office supply contract from the U.S. Communities Government Purchasing Alliance with Office Depot on June 26, 2001.

Participating in the U.S. Communities Government Purchasing Alliance allows Glendale to make purchases based on the combined volume of all the members of the cooperative, rather than only the city's need. This method of consolidating the combined purchasing power of the membership produces the lowest possible volume prices and make for the most effective use of available funding. This provides an option in which to compare pricing with other vendors.

The recommendation was to waive reading beyond the title and adopt a resolution authorizing the entering into of the U.S Communities Government Purchasing Alliance.

Councilmember Lieberman said he is not in favor of the cooperative agreement and does not believe they should enter into an agreement without first obtaining bids from local businesses. He said local merchants should be given every chance to compete, stating Glendale has honest merchants who are trying to make a living. He warned staff he would fight the cooperative agreement in any way he can. He stated, given the ridiculous pricing of government bids he has seen in the past, he is not interested in the government's bid. He apologized to staff for not bringing his concerns to their attention prior to the meeting.

Councilmember Martinez asked Mr. Shuey for an example of the equipment and products that the city will be able to purchase under the cooperative contract. Mr. Shuey commented Graybar, which is a local business, has been involved in the past. Bill Brewer, Materials Manager, said the primarily purchase office, janitorial, electrical and hardware supplies. Councilmember Martinez asked if any of the products would be put out for bid locally. Mr. Brewer said Maricopa County sponsored one of the hardware item bids and one of the procurement card bids, but the others have been sponsored by other organizations throughout the United States.

Councilmember Clark asked if the contract is new. Mr. Brewer stated the office supplies contract has been in use since 2001. He explained that due to a change in methodology with U.S. Communities, they are requesting an agreement that gives cities an opportunity to work with any of the agreements they currently establish. Councilmember Clark asked if there are any local businesses, other than Graybar, that are signatories to U.S. Communities. Mr. Brewer responded yes, stating Home Depot, Office Depot, Grangers and Graybar all have local representation. Councilmember Clark pointed out those businesses are national companies with local representatives, asking if any local businesses have an affiliation with U.S. Communities. Mr. Brewer answered no.

Councilmember Clark asked if the list of U.S. Communities' contracts is all-inclusive. Mr. Brewer said the list represents the products the city currently buys or intends to buy through the contract. Councilmember Clark agreed there is a lot to be said for supporting local businesses. She asked what kind of price savings the city would achieve through the proposed contract as opposed to a local vendor. Mr. Brewer said an estimate on office supplies calculated about a 12 percent savings, noting the bid was championed by the City of Los Angeles and only national office supply firms participated in that bid. He stated that is typical of all of the contracts that U.S. Communities coordinates. He stated he completely understands and respects Councilmember Lieberman's position. He emphasized that his office strives to reach a balance of the responsible use of the citizen's tax dollars with supporting local businesses. He explained larger contracts tend to go to national dealers, but Glendale merchants have opportunities on smaller purchases.

Councilmember Clark asked if U.S. Communities Government Purchasing Alliance is a federally sponsored organization. Mr. Brewer responded no, stating the bids are done at the local, county or individual agency level.

Councilmember Lieberman noted he was in business for 21.5 years in Glendale during which time he never sold anything to the City of Glendale, despite offering the same products for the same price that the city was paying elsewhere. He stated an office supply store on 59th Avenue is closing and the owner is opening a warehouse so he can better compete with national companies. He reiterated that he could not go along with the proposed contract. He commented that a few years ago Senator John McCain came up with a list of ridiculously priced items the federal government purchased through purchase agreements. He stated he wants to see the local

merchants come first, suggesting they even give a slight advantage to Glendale merchants. He pointed out U.S. Communities Government Purchasing Alliance agreement permits the purchase of materials and services from nationally awarded contracts and the prices and terms negotiated by a lead government agency. He said if the lead agency makes a mistake they might find they can purchase the items locally at a cheaper price.

Councilmember Martinez asked if the city would pay a fee to be part of the cooperative agreement. Mr. Brewer responded no. Councilmember Martinez asked what impact there would be if the Council was to vote against the agreement. Mr. Shuey said the agreement is only one of many options city staff uses to ensure tax dollars are spent wisely. He said there are other cooperative agreements and they encourage all local Chambers of Commerce to participate in the process. Councilmember Martinez asked if the ordinance requires the city to accept the lowest bid for any item it purchases. Mr. Paladini said the city's ordinance typically requires the city to accept the lowest responsible bidder. He pointed out local preferences are unconstitutional, explaining the state statute that gave local preferences was thrown out by the Supreme Court of Arizona 10 years ago. Councilmember Martinez asked if local businesses would be shut out of the bidding process if the Council decides to approve the contract. Mr. Shuey stated, while the contract might represent the best interest of the community for certain purchases, that is not always the case, noting many requests for proposals go out to local businesses in Glendale and the valley. Councilmember Martinez asked if the contract is limited to business supplies. Mr. Brewer stated the list represents items for which they intend to make purchases, explaining there are other agreements, but the city has not made a determination whether or not it will participate in those at this time. He said U.S. Communities has focus primarily on broad range, commonly used market products that are readily accessible from national companies with local representation. Councilmember Martinez said, based on what he has heard, he will not support the agreement. He said, while he is not concerned about the pricing, he does not like that local merchants will be excluded.

Mayor Scruggs commented several years ago Glendale took the lead in establishing the Purchasing Maze which has grown into a very successful process by which vendors of all sorts of material products and services are brought in to learn how to do business with governments. She stated that leads her to believe that city staff does still encourage local businesses to do business with the city. Mr. Brewer agreed, stating it allows the city to be proactive with the local community. He said, in addition to the advertising they do in the Glendale Star, everything the city sends out in terms of a bid or proposal are sent to Chambers of Commerce, advocacy groups, mailing lists and businesses. He stated they participate in a major trade show, which emphasizes small, minority, and women-owned businesses, as well as many other local trade shows.

Mayor Scruggs said there appears to be an interpretation that if the city is a member of the alliance cooperative that it is mandated to purchase products through that agreement in every instance. She asked if that interpretation is correct or if the city would be able to purchase products and services through other vendors if it so

chooses. Mr. Brewer said the city is not mandated to use the existing agreements and frequently does not use them for reasons of time constraints or size of order.

Mayor Scruggs asked if 12 percent is a typical savings percentage over the broad range of products. Mr. Brewer said they have not determined the level of savings on any of the agreements, except the one related to business supplies since it is the most commonly used agreement. He noted U.S. Communities is still developing the types of products and services they offer. He explained Glendale has the opportunity through the contracts to order directly online through specific accounts, use procurement cards, or talk to distributors directly. He stated it is the procurement management office's job to ensure the city is getting a reasonable value. Mayor Scruggs asked Mr. Brewer to estimate the amount the city spends on office supplies each year. Mr. Brewer guessed about \$1.5 million per year.

Mayor Scruggs said their discussion has been very informative and she was impacted by Mr. Brewer's comments concerning balancing the responsible use of tax dollars with the support of local merchants. She stated the city always looks for ways to save money so that it can make improvements in other areas of the city, pointing out a 12 percent savings on \$1.5 million in office supplies totals about \$180,000 per year. She noted businesses benefit from the services the city provides as well and, therefore, indirectly benefit from the savings achieved through the cooperative agreement. She stated joining the co-op does not preclude the city from making purchases outside of that agreement, but allows staff to make large routine purchases in a timelier manner.

Vice Mayor Eggleston asked how the city purchases products under the cooperative agreement. Mr. Brewer explained, in general, the premise of the cooperative is to obtain a lower cost for the same quality product and efficiencies in the procurement process. Vice Mayor Eggleston stated he could support the agreement since the city will be able to purchase items from local vendors if it so chooses.

Councilmember Lieberman asked Mr. Brewer how he arrived at savings figure of 12 percent. He said, unless they competitively bid an item through the agreement and other local vendors, they have no way of identifying the true savings. Mr. Brewer stated they have not recently done an analysis, noting they have purchased through Office Depot for a several years. He explained they compare the pricing the city gets with the State of Arizona contract and other co-ops. Councilmember Lieberman asked Mr. Brewer if he is saying the State of Arizona pays 12 percent more for office products than the City of Glendale. He said if that is the case, he believes it highlights his point that they should put their bids out for competitive pricing. Mr. Brewer stated the State of Arizona is also investigating an agreement with U.S. Communities. Councilmember Lieberman asked Mr. Brewer if they would price an item locally prior to purchasing through U.S. Communities to ensure they are receiving the best price. Mr. Brewer said it would depend on the product, pointing out most of their business supply purchases are relatively small. He offered to find out for Councilmember Lieberman when they last conducted a price comparison analysis.

Councilmember Goulet asked if it is possible that the city will not receive a response to a bid request, that the response could come in higher than the city expected, or that the city may need to re-bid something. Mr. Brewer responded yes, stating the competitiveness of the market drives interest in bidding. Councilmember Goulet pointed out the city's participation in the co-op gives them the opportunity to decline a bid if the price is deemed excessive. Mr. Brewer agreed.

Councilmember Goulet asked if it were possible a local company would be unable to bid because they are unable to competitively produce the product. Mr. Brewer said that is true in some instance. He reiterated, however, the agencies and communities participating in U.S. Communities are looking for commonly available market products to avoid that situation.

Councilmember Clark said, after listening to their discussion, she tends to agree with Councilmember's Lieberman and Martinez. She stated, while she believes a cost savings can probably be achieved in most instances through the cooperative agreement, there seems to be a tendency to go with the cheapest price at the expense of supporting local merchants. She clarified her comments are in no way intended to denigrate the work staff put in to bringing the agreement forward, stating she simply believes there is an overriding principal that they need to support local businesses.

Mayor Scruggs asked Mr. Paladini if the city is prohibited from choosing to purchase from a local business if they are unable to provide the lowest cost. Mr. Paladini said the standard is "lowest responsible bidder", explaining if they assume all other factors are considered equal the city is required to go with the lowest bidder. He stated service or warranty factors could be factored into the decision and in terms of service contracts they can often factor in the experience of the contract provider. He expressed his opinion the city could run into potential problems if its only criteria for selecting a particular bidder are that the bidder is a local business. Mayor Scruggs used the example of a local office supply business, asking if the city could do business with the local office supply store even if their bid came in higher than the price the city could achieve through the cooperative agreement. Mr. Paladini said he believes the city could potentially run into bid challenges assuming all other factors are equal. Mayor Scruggs asked if a national chain store is considered local if they have a store in the City of Glendale.

Councilmember Martinez asked if in situations where a product is needed immediately or in small quantities that the city would put the purchase out to bid locally. Mr. Brewer responded yes, noting, for instance, a local hardware store does a considerable amount of business with the city because it allows city employees to go to the store, obtain the parts they need, and return immediately to work. He pointed out there is typically less urgency when making large volume purchases. Councilmember Martinez asked if any paper purchased last year was purchased from local businesses. Mr. Brewer said, given his professional experience, he would assume it was not exclusively purchased through the cooperative agreement. Councilmember Martinez asked if there is anything in the contract that would preclude the city from putting a

purchase out to bid locally. Mr. Brewer answered no. Councilmember Martinez said he might be able to support the contract if it included language that provided the opportunity for local companies to bid as well. Mr. Brewer explained U.S. Communities put purchases out for bid throughout the United States and then the bids received are made available to all participating communities and agencies. Mr. Shuey reiterated the cooperative agreement is but one of the many options they use, stating they always look for the best value for the community. Councilmember Martinez asked if the agreement could be structured in such a way that local companies would always have an opportunity to bid. Mr. Shuey stated it is the Finance Department's policy to look at what is available competitively, explaining the cooperative agreement would be looked at as one of several possible options. Mr. Beasley pointed out the city's savings lies in the volume of the purchase.

Mayor Scruggs commented that putting every single purchase out to bid would slow the procurement process down significantly and severely impact the city's ability to conduct business. She stated the sheer volume in which the city purchases some products precludes smaller locally owned businesses from competing because they do not carry that kind of inventory. She pointed out the city does not even have local businesses from which to purchase many of the items on the cooperative agreement list. She said the city cannot give preference to a local business, local businesses do not necessarily sell everything the city needs, and the alliance cooperative agreement offers the city an opportunity to obtain the best price on items it needs.

Councilmember Lieberman said, regardless of the product or service, it is always possible to obtain competitive bids if for no other reason than for comparison. He asked if staff would obtain competitive bids if they were purchasing furniture for a new office. Mr. Brewer said his staff works with the requesting agency to determine the best value.

Councilmember Lieberman pointed out the state purchases considerably more office supplies than the city, stating they would conceivably save millions of dollars if they were under the same contract. He said when he was in business he found that prices decreased as the volume he ordered increased, asking if the state would also find that to be the case. Mr. Shuey said that is exactly why they are recommending the U.S. Communities Alliance, explaining it pools procurement at a national level to achieve an even greater level of savings than can be achieved at the local or even state level.

Mr. Brewer reported 3,800 governmental agencies make procurements off of the U.S. Communities' contract with Office Depot with a combined volume last year of over \$1 billion.

Councilmember Lieberman clarified his interpretation of local extends to businesses throughout the state. He thanked Mr. Brewer and Mr. Shuey for the information they provided.

Councilmember Clark said it is obvious the city cannot give preference to local businesses, whether they are local to the city, region or state. She stated, however, they can offer those businesses the opportunity to compete by putting the purchases out to bid. She said that opportunity is an option that she fears may or may not be exercised if they proceed with the cooperative agreement.

Resolution No. 3945 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING AND DIRECTING THE ENTERING INTO OF A MASTER INTERGOVERNMENTAL COOPERATIVE PURCHASING AGREEMENT TO BECOME A MEMBER OF THE U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE FOR THE PROCUREMENT OF MATERIALS AND/OR SERVICES.**

It was moved by Eggleston and seconded by Goulet, to approve the recommended actions on Consent Agenda Item Nos. 9 Resolution No. 3945 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Goulet, Eggleston, Frate and Scruggs. Councilmembers voting “nay”: Clark, Lieberman and Martinez.

Mayor Scruggs commented she voted in favor of the agreement in recognition of the staff's expertise, stating they spent a great deal of time researching how best to safeguard the taxpayer's money while obtaining needed supplies in a timely manner.

BIDS AND CONTRACTS

11. AWARD OF BID 06-04 FOR TIRE RECAPPING SERVICES

Mr. Stuart Kent, Field Operations Director presented this item.

This is a request for the City Council to approve a contract with Roberts Tires Sales, Inc. to provide tire recapping and other services related to tire maintenance.

This tire-recapping contract will assist the city to maintain high quality service for citizens and contribute to the city's fiscal soundness.

The city uses a tire recapping service to refurbish worn truck tires for reuse. During this process, a new tire tread, or “cap,” is bonded to the tire's surface to extend the life of the original tire. This provides a tire with new tread life for a third of the cost of a new tire. Modern tire capping methods ensure capped tires are as safe as original tires. Truck tires have been recapped at the city for more than 20 years. Recapped tires are primarily used on sanitation, streets, and utilities heavy trucks. Capped tires are not used on public safety vehicles. Also included in this contract are services for foam filling tires and foam-filled tire recapping. Foam-filled tires are used on the sanitation loose trash tractors to prevent flat tires, which maximizes service. Because the previous contract has reached its limit for expenditures for tire capping and foam fill services, a new contract is required. Two bids were received in response to an

Invitation for Bid (IFB) to provide the city with recapping services for one year. Roberts Tires Sales submitted the lowest bid. The IFB contains an option clause that permits the City Manager to extend this agreement for four additional one-year terms.

The city currently uses Roberts Tires Sales for tire recapping services based on IFB 04-23 that was administratively awarded in May 2004. Two bids were received in response to that IFB.

Funding is available in the Field Operations Department Equipment Management operating budget.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | | | X | | \$186,360 |

Account Name, Fund, Account and Line Item Number:

Tire Capping, 16-6252-7316, \$166,360

Tire-New, 16-6252-7441, \$20,000

The recommendation was to award a contract to Roberts Tires Sales, Inc. to provide tire-recapping services in an amount not to exceed \$186,360.

Mayor Scruggs asked where Roberts Tires Sales is located. Mr. Kent said both Roberts Tires and the second bidder are located in Phoenix.

Councilmember Lieberman noted Redburn has stores throughout the state.

It was moved by Martinez, and seconded by Goulet, to award a contract to Roberts Tires Sales, Inc. to provide tire-recapping services in an amount not to exceed \$186,360. The motion carried unanimously.

12. **AUTHORIZATION TO INCREASE CONTRACT AMOUNT WITH NAPA AUTO PARTS FOR VEHICLE AND EQUIPMENT PARTS ACQUISITION**

Mr. Stuart Kent, Field Operations Director presented this item.

This is a request for the City Council to: (1) Authorize a transfer of general fund contingency appropriation authority only of \$400,000 for the National Auto Parts Association (NAPA) contract for the purchase of automotive parts for Fiscal Year 2005-06, (2) Increase the annual contract with NAPA to \$1,587,500 for Fiscal Year 2005-06, (3) Increase the annual contract limit by not more than \$150,000 annually for the remainder of the initial five-year contract.

This authorization to increase the contract amount with NAPA will assist the city to maintain high quality service for citizens and contribute to the city's fiscal soundness.

Council approved the contract with NAPA in May OF 2004 to both streamline the parts acquisition program and to obtain the benefits of lower costs due to the financial efficiencies of using a private sector vendor. The Field Operations Department's Equipment Management Division provides critical repair and maintenance services for the city's inventory of over 1,300 vehicles and pieces of equipment. Since 2004, the city fleet has grown by more than 100 vehicles. Since Fiscal Year 2003-04, the fleet has clocked 1,000,000 more miles and costs to buy parts have increased by 26%.

During Fiscal Year 2004-05, Equipment Management completed in excess of 30,500 vehicle and equipment repairs with 95% of these services performed at the city's vehicle maintenance facility. Continued growth in the city's fleet and parts cost increases related to the rising cost of steel and oil, have resulted in a need to increase appropriations for parts acquisition and to increase the annual contract limit. NAPA provides the city with the best cost for our parts store operation. However, as stated, the cost of raw products and the growth and utilization of the city's fleet has increased the need for parts acquisition.

The Council approved the Award of Proposal 03-38, On-Site Parts Room Operation in May of 2004.

The contract with NAPA has accrued benefits to the city primarily resulting from the NAPA organization's nationwide supply chain network and operational expertise. These unique characteristics are difficult to achieve with city resources. By outsourcing this service, the city's Equipment Management Division has reduced vehicle and equipment downtime for repair and service. The division's customers, including Fire, Police, and Sanitation, have benefited from faster services. Residents have also benefited from this improved service.

Since the approval of the NAPA contract, Equipment Management has identified several key areas that have improved with the new contract. The following are updates on these key areas:

Reduced vehicle downtime - 11% reduction in vehicles down per day waiting for parts

Improved inventory control – Inventory owned and controlled by NAPA using no city funds to carry parts in inventory

Increased availability of parts - Parts inventory is up from \$150,000 to \$277,000

Improved mechanic productivity – On-hand parts availability rate increased from 25% to 69%

Fewer invoices to process and monitor - Checks needing to be processed to pay vendors is down by 90%

The city's expenses associated with the NAPA contract for Fiscal Year 2004-05 was \$1,330,768. With the escalating cost of parts and growth in the city fleet, staff estimates that the total contract costs for Fiscal Year 2005-06 will be \$1,587,500. This is a 19% increase over costs from Fiscal Year 2004-05. With the documented fleet growth, increases in miles driven, and the 26% increase in parts costs, this contract is effectively controlling costs as anticipated.

The Equipment Management Division's Fiscal Year 2005-06 budget is \$1,187,500. The division's budget requires an additional \$400,000 appropriation to meet the estimated Fiscal Year 2005-06 costs for parts of \$1,587,500. The current contract limit with NAPA is \$1,343,982 and needs to be increased to the \$1,587,500 amount for Fiscal Year 2005-06. By annually increasing the NAPA contract limit for the remaining three years of the initial five-year contract by \$150,000 each year, the division estimates there will be sufficient capacity in the contract to meet ongoing costs.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|-----------|
| | | | X | | \$400,000 |

Account Name, Fund, Account and Line Item Number:

Parts Store Operation, Account No. 16-6259-7440

The recommendation was to authorize the transfer of \$400,000 in appropriation authority only from Fiscal Year 2005-06 General Fund Contingency, Account No. 01-2450-7000 to Parts Store Operation, Account No. 16-6259-7440; increase the Fiscal Year 2005-06 NAPA contract to \$1,587,500; and annually increase the cumulative contract limit by not more than \$150,000 each year for Fiscal Year 2006-07, Fiscal Year 2007-08, and Fiscal Year 2008-09.

Councilmember Lieberman pointed out staff is requesting appropriation authority, not to spend the funds at this time. Mr. Kent agreed. Councilmember Lieberman asked if this is in addition to the amount identified during their budget discussions this morning. Mr. Kent said no, stating the \$400,000 in appropriation authority and the adjustment in the contract is for the current fiscal year. He noted Council did not discuss the \$150,000 annual appropriation during its budget discussion earlier in the day. Councilmember Lieberman stated his questions are for clarification only and should not be construed as his being opposed to the recommendation.

It was moved by Martinez, and seconded by Lieberman, to authorize the transfer of \$400,000 in appropriation authority only from Fiscal Year 2005-06 General Fund Contingency, Account No. 01-2450-7000 to Parts Store Operation, Account No. 16-6259-7440; increase the Fiscal Year 2005-06 NAPA contract to \$1,587,500; and annually increase the cumulative contract limit by not more than \$150,000 each year for Fiscal Year 2006-07, Fiscal Year 2007-08, and Fiscal Year 2008-09.

In response to Vice Mayor Eggleston's question, Mr. Kent stated they deal primarily with the Hempleman Auto Parts store on Myrtle at 62nd. He confirmed the city's contract is with Hempleman.

Upon a call for the question, the motion carried unanimously.

13. AUTHORIZATION TO INCREASE PURCHASE ORDER AMOUNT WITH SANDERSON FORD

Mr. Stuart Kent, Field Operations Director presented this item.

This is a request for the City Council to authorize \$25,000 of additional spending authority to Sanderson Ford for special service repairs and alternative fuel vehicle repairs on city owned Ford vehicles. Equipment Management is experiencing an increase in repairs and replacement parts in an effort to have all bi-fuel or propane fueled vehicles run effectively. The spending limit for Sanderson Ford repairs will increase from \$50,000 to \$75,000 for Fiscal Year 2005-06.

The city owns 89 bi-fueled (gasoline or propane) pickups and six dedicated propane fueled Dial-a-ride buses. Repair and service of problems associated with the propane fuel system routinely exceeds the expertise of division staff requiring manufacturer assistance.

Equipment Management sends city-owned Ford vehicles to Sanderson Ford for special service repairs and repairs that exceed staff training or the availability of test equipment. During the past six months, the city has expended \$38,000 in repairs to propane-fueled vehicles in an effort to operate the fleet of propane vehicles.

Approval of this request will help assure that city vehicles are fully operational and available to departments to ensure service is provided to residents in an efficient and cost effective manner.

Funds and appropriation authority for the increase in repair part costs with Ford are available in the equipment management budget.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|----------|
| | | | X | | \$25,000 |

Account Name, Fund, Account and Line Item Number:

Professional and Contractual - Account No. 16-6252-7330

The recommendation was to authorize an increase of \$25,000 to the Fiscal Year 2005-06 purchase order for Sanderson Ford for repairs and service.

Leonard Clark, a resident of the City of Glendale Barrel District, said Sanderson Ford is a very good company, noting his family has done business with the company for the past 60 years. He encouraged the Council to approve staff's recommendation.

It was moved by Lieberman, and seconded by Clark, to authorize an increase of \$25,000 to the Fiscal Year 2005-06 purchase order for Sanderson Ford for repairs and service. The motion carried unanimously.

14. AWARD OF CONSTRUCTION CONTRACT - PUBLIC SAFETY TRAINING CENTER

Mr. Jim Higgins, Assistant Fire Chief presented this item.

This is a request for the City Council to approve a construction contract with D.L. Withers Construction, LC, for the Public Safety Training Center. This is the second component of Phase One design and construction. This contract is for construction of the administration and classroom building, associated underground utilities, a section of the parking lot and a section of the landscaping.

The Public Safety Training Center and EOC will provide a new resource for the training of the fire and police personnel and centralized control of emergency operations in the city. The ability to meet the future demands for trained public safety personnel and improve command and control of emergency operations will help ensure the public's safety.

The Glendale Fire and Police Departments identified a need for a Regional Public Safety Training Center in the west valley. The current training accommodations are at critical limits. The only training facility for firefighters from the west valley is at the Phoenix Regional Training Academy. Nineteen communities in the valley, including Glendale, utilize this facility. The growth of the metropolitan area along with the projected attrition of personnel for the next decade has created the need for a regional training facility located in the west valley.

Partnerships with various west valley cities and with Maricopa Community College (MCCD) will enhance the function and value of the training and continuing education of fire and police personnel, and ensure the number of trained public safety staff available is secured for the protection of the community.

In July of 2004, the Council approved a contract with Lawrence Enyart Architects (LEA) to develop the Public Safety Training Facility Master Plan, which was completed in January of 2005. The project was presented at council budget workshops on April 5 and 19, 2005 and approved as part of the Fiscal Year 2005-06 budget.

On June 28, 2005, the Council awarded a professional services contract to Lawrence Enyart Architects for design and construction administration services, and a Construction Manager at Risk contract to D.L. Withers Construction, LC, for design support services.

On July 26, 2005, the Council approved the first construction contract with D.L. Withers Construction, LC, for the construction of the earthen levee and rough site grading in the amount of \$7,596,339. The construction of the levee has been completed.

On March 14, 2006, the Council approved an intergovernmental agreement with the cities of Avondale, Peoria and Surprise, and the MCCD for the financial and operational partnership of the training center.

The facility will provide the Glendale Fire and Police Departments the ability to train public safety employees to meet future needs. Partnerships with various west valley cities and the MCCD will enhance the protection of the community and help reduce costs for the facility.

The total cost for the second component of Phase One is \$19,987,795. The final cost of Phase One will be established once the design is complete and the remaining components bid. Funds are available in EOC/Training Facility Phase I.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------|-----------------|---------------|----------|------------|--------------|
| | X | | X | | \$19,987,795 |

Account Name, Fund, Account and Line Item Number:

EOC/Training Facility Phase I, Account No. 60-9421-8330

The recommendation was to approve the construction contract with D.L. Withers Construction, LC, in the amount of \$19,987,795.

Councilmember Lieberman asked if Mesa and Tempe have Police and Fire training facilities. Assistant Chief Higgins said Mesa does, noting they are building a new facility. He stated the Tempe Fire Department uses Phoenix's facility for new recruit training and they have a small facility for other training. Councilmember Lieberman asked where all of Scottsdale's firefighters were trained. Assistant Chief Higgins stated both Rural Metro and the City of Scottsdale do their training at the City of Scottsdale training facility on the banks of the Salt River.

It was moved by Eggleston, and seconded by Frate, to approve the construction contract with D.L. Withers Construction, LC, in the amount of \$19,987,795. The motion carried unanimously.

PUBLIC HEARING – ORDINANCES

15. REZONING APPLICATION ZON05-15: CABRILLO POINT – 7315 WEST GRANDVIEW ROAD

Mr. Jon Froke, AICP, Planning Director presented this item. Mr. Jason Morris of Withey, Anderson and Morris, P.C. addressed the council.

This is a request by Withey Anderson & Morris for Council to approve Rezoning Application ZON05-15 located at 7315 West Grandview Road. The applicant is requesting to rezone from A-1 (Agricultural) to R1-6 PRD (Single Residence, Planned Residential Development). The applicant intends to develop a subdivision titled "Cabrillo Point".

The proposed subdivision is compatible with the Medium Density General Plan designation. The R1-6 PRD adds to the city's housing stock, provides housing opportunities and housing unit diversity. This development incorporates sound growth management techniques by utilizing surrounding infrastructure.

Cabrillo Point consists of 69 lots on 17.3 acres at a density of 3.9 dwelling units per gross acre. Lot sizes vary from 5,000 square feet to 6,179 square feet with an average lot size of 5,500 square feet. The minimum lot width is 50 feet and the minimum lot depth is 100 feet.

The Planning Commission recommended approval of this Rezoning Application on February 16, 2006, with seven stipulations.

The project promotes the development of vacant property and provides housing on an in-fill site that is compatible with the surrounding area on an in-fill site.

A neighborhood meeting was held on May 2, 2005 inviting 158 property owners and interested parties. Of those invited, 13 people attended the meeting. Issues discussed included extension of Grandview Road to the west, the size of the homes, and pedestrian connection to the Thunderbird Paseo and investor restrictions on home sales. The applicant has addressed each of these concerns.

The recommendation was to conduct a public hearing, waive reading beyond the title and adopt the ordinance for Rezoning Application ZON05-15, subject to the stipulations recommended by the Planning Commission.

Councilmember Clark asked about the lot sizes in Park Paseo. Mr. Froke said Park Paseo was developed a number of years ago and the lot widths range from 50 to 60 feet and the lot sizes average about 6,000 to 6,500 square feet. He noted Cabrillo Point is compatible with that lot size. Councilmember Clark pointed out Cabrillo Point is asking to amend two of the R1-6 district zoning standards, permitting the minimum lot width to be 50 feet and the minimum lot size to be 5,000 square feet. She stated it

appears 50 percent of the lots will be in the range of 5,000 to 5,500 square feet. She asked if these changes would make Cabrillo Point substantially different from Park Paseo. Mr. Froke said there would not be a noticeable difference. He pointed out about 17.4 percent of the site is devoted to open space whereas the city's Residential Design and Development Manual calls for about 15 percent. He reiterated staff's position that the development will be compatible with the neighborhood. Councilmember Clark said the project appears to be good except in terms of the lot sizes, explaining she is concerned about the precedence she may set if she approves such small lot sizes.

Councilmember Martinez asked if there are other developments with even smaller lot sizes. Mr. Froke stated Arrowhead Ranch has lot sizes that range from 4,000 square feet to 2 acres. Councilmember Martinez expressed his opinion the project is good for the area. He asked if it is considered an infill project. Mr. Froke responded yes. He pointed out the General Plan calls for the area to be developed as medium density residential with a density range of 3.5 to 5 units to the acre, noting the proposed project has a density of 3.9 units per acre. Councilmember Martinez commented the project would offer homebuyers an affordable housing option. Mr. Froke agreed. He pointed out the developer has not requested increased lot coverages or building heights.

Councilmember Frate said he met with the developer and planning staff as well as residents from Park Paseo, noting he has never before seen such enthusiastic support from an adjoining neighborhood. He stated he is not aware of there being any opposition to the project.

Councilmember Lieberman expressed concern that the homes that back up to the Arizona Canal Drainage Channel may be affected during a 100-year flood. He asked how much distance is between the canal and the patio walls. Mr. Froke said, as with all of the city's PRDs, the application is subject to technical reviews in several departments, including Engineering. He stated the city's Engineers have assured him that the location is appropriate and will not be subject to drainage issues.

Jason Moore, Applicant's representative, noted the City's Planning Department staff first raised many of the questions raised by Council when the process began. He said the plan before Council is the eighth generation in terms of density, lot size and overall layout. He stated they view the parcel as a transitional parcel between the residential development to the east and the multi-family and commercial office to the north and light industrial to the west. He said in comparing the proposed community with Park Paseo to the east, they will find the lot sizes are very similar, pointing out the subdivisions differ most obviously in the amount of open space the proposed development offers. He stated their development would also allow for the continuation of Grandview.

Mayor Scruggs noted Council's material shows Park Paseo as R1-6 PRD not R1-6. Mr. Moore agreed. Mayor Scruggs asked if the property is considered infill with an irregular shape. Mr. Moore responded yes.

Mayor Scruggs opened the public hearing on Agenda Item No. 15. As there were no comments, Mayor Scruggs closed the public hearing.

Councilmember Clark reiterated the project seems fine and her only problem lies in accepting the smaller lot size which might come back to haunt her in the future.

Ordinance No. 2489 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, ZONING PROPERTY FROM A-1 (AGRICULTURAL) TO R1-6 PRD (SINGLE RESIDENCE, PLANNED RESIDENTIAL DEVELOPMENT); AMENDING THE ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE.**

It was moved by Goulet, and seconded by Frate, to approve Ordinance No. 2489 New Series.

Mayor Scruggs said the project fits within the city's infill development standards, which allow for a smaller lot configuration. She stated the project is compatible with the housing development to the east and no negative comments have been received from the residents of that subdivision. With regard to the issue of affordable housing, she said the Council was lectured at a workshop one time about having to ensure that everyone can afford a home. She stated, unfortunately, circumstances in the valley have made it difficult for anyone to own a new home. She said the price of the home begins with land prices and no one will be able to afford a home if they are all built on large lots. She stated the Council has made a commitment to ensuring affordable housing within the city, but to do so, they need to offer a number of diverse options. She said she does not believe the proposed project will be substandard in any way.

Councilmember Frate commented the project is located in a very desirable, already developed area.

Councilmember Clark dismissed comments that the proposed project will be considered affordable, stating in this case it will be the location rather than the lot size that drives up the price. She clarified she in no way associates the proposed subdivision with being substandard; but, neither does she believe it will provide diversity to the community. She said the project is wonderful but she cannot support it for the reasons she expressed.

Councilmember Lieberman asked if the seven stipulations were included in the motion. Mayor Scruggs explained the city now approves zoning by ordinance and the ordinance incorporates the stipulations.

Upon a call for the question, the motion carried on a roll call vote, with the following Councilmembers voting “aye”: Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: Clark.

ORDINANCES

16. SALT RIVER PROJECT IRRIGATION EASEMENTS: VARIOUS LOCATIONS

Mr. Larry Broyles, City Engineer presented this item.

This is a request for the City Council to adopt an ordinance granting the following irrigation easements in favor of Salt River Project (SRP); (1) along the west side of 67th Avenue, north of Glendale Avenue; (2) along the west side of 67th Avenue and Flynn Lane; and (3) 91st Avenue, north of Glendale Avenue.

Easements (1) and (2): Glendale Onboard (GO) will be making improvements to 67th Avenue, in April 2006. The city requested SRP relocate its existing irrigation pipe along the west side of 67th Avenue north of Glendale Avenue, and also at Flynn Lane to accommodate that construction in this area.

Easement (3): To accommodate the improvement of the roadways in and around the Zanjero development, SRP has been asked to relocate its underground irrigation pipeline. Portions of the new location are within city rights-of-way.

These easements are necessary to protect SRP's existing land rights and facilities in the new location.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute the following easements in favor of Salt River Project; (1) along the west side of 67th Avenue, north of Glendale Avenue; (2) along the west side of 67th Avenue and Flynn Lane; and (3) 91st Avenue, north of Glendale Avenue.

Ordinance No. 2490 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE IRRIGATION EASEMENTS IN FAVOR OF SALT RIVER PROJECT AT: (1) 67TH AND GLENDALE AVENUES, (2) 67TH AVENUE AND FLYNN LANE, AND (3) 91ST AVENUE, NORTH OF GLENDALE AVENUE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

It was moved by Clark, and seconded by Lieberman, to approve Ordinance No. 2490 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.

17. SALT RIVER PROJECT ELECTRICAL EASEMENTS: VARIOUS LOCATIONS

Mr. Larry Broyles, City Engineer presented this item.

This is a request for City Council to adopt an ordinance granting the following easements in favor of Salt River Project (SRP); (1) overhead electrical transmission line easement along the south side of Olive Avenue, west of 43rd Avenue; (2) power distribution easement along the east side of 75th Avenue, at Maryland Avenue; (3) power distribution easement along the east side of 75th Avenue, at Missouri Avenue; (4) power distribution easement along the east side of 83rd Avenue, at Montebello Avenue; (5) and, a power distribution easement on the north side of Mountain View Road, west of 59th Avenue.

Easement (1): Glendale Onboard (GO) will be making improvements to the intersection of 43rd and Olive avenues in February 2007. The city has requested SRP relocate its transmission pole and overhead 69KV electrical line to accommodate that construction.

Easements (2), (3) and (4): Glendale Onboard (GO) will be making improvements to 75th and 83rd avenues, beginning in April 2006. The city requested SRP relocate its existing power distribution facilities along 75th and 83rd avenues to accommodate construction in these areas.

Easement (5): SRP is improving its reliability of service by installation of new switch and capacitor bank in Sahuaro Ranch and has requested a power distribution easement on the north side of Mountain View Road, west of 59th Avenue.

These easements are necessary to protect SRP's existing land rights and facilities in the new locations.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute the easements in favor of Salt River Project.

Ordinance No. 2491 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE THE FOLLOWING EASEMENTS IN FAVOR OF SALT RIVER PROJECT: (1) POWER DISTRIBUTION EASEMENT ALONG THE EAST SIDE OF 75TH AVENUE AT MARYLAND AVENUE, (2) POWER DISTRIBUTION EASEMENT ALONG THE EAST SIDE OF 75TH AVENUE AT MISSOURI AVENUE, (3) POWER DISTRIBUTION EASEMENT ALONG THE EAST SIDE OF 83RD AVENUE AT MONTEBELLO AVENUE, (4) A POWER DISTRIBUTION EASEMENT ON THE NORTH SIDE OF MOUNTAIN VIEW ROAD WEST OF 59TH AVENUE, AND, (5) AN OVERHEAD ELECTRICAL TRANSMISSION LINE EASEMENT ALONG THE SOUTH SIDE OF**

OLIVE AVENUE EAST OF 43RD AVENUE; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.

It was moved by Frate, and seconded by Clark, to approve Ordinance No. 2491 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.

18. ABANDONMENT OF A PORTION OF LAMAR ROAD, EAST OF 83RD AVENUE

Mr. Larry Broyles, City Engineer presented this item.

This is a request for the City Council to adopt an ordinance authorizing the abandonment of a portion of Lamar Road east of 83rd Avenue for a distance of approximately 596 feet, subject to the city retaining easements for its sewer line and for existing public utilities.

The developers of the commercial property at the southeast corner of 83rd and Glendale avenues have requested the abandonment of Lamar Road, as it abuts their property. Lamar Road is unimproved at this location, and serves no public right-of-way purpose. The owner of the property adjacent to the south, Villas Solanas Apartments, supports the abandonment request, and has agreed to convey it's half of the abandoned road to the commercial property owners. There have been no objections to the abandonment from other city departments or from the local public utilities, providing the city retains an easement for any public utility facilities existing within the right-of-way to be abandoned on the date of the abandonment.

The recommendation was to waive reading beyond the title and adopt an ordinance abandoning Lamar Road for a distance of approximately 596 feet east of 83rd Avenue, subject to the retention of easements for the city's sewer facilities and for any existing facilities of public utility companies.

Ordinance No. 2492 New Series was read by number and title only, it being AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE ABANDONMENT OF A PORTION OF LAMAR ROAD EAST OF 83RD AVENUE TO THE OWNERS OF RECORD OF THE ABUTTING PROPERTY; AND DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THIS ORDINANCE.

It was moved by Martinez, and seconded by Clark, to approve Ordinance No. 2492 New Series. Motion carried on a roll call vote, with the following Councilmembers voting “aye”: Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting “nay”: none.

19. ARIZONA PUBLIC SERVICE COMPANY EASEMENT: WEST SIDE OF LOOP 101, NORTH OF UNION HILLS DRIVE

Mr. Larry Broyles, City Engineer presented this item.

This is a request for the City Council to adopt an ordinance authorizing the City Manager to execute an electrical easement in favor of Arizona Public Service Company (APS) at the city's Arrowhead Ranch Water Reclamation Facility on the west side of Loop 101, north of Union Hills Drive.

APS is extending its existing service and improving its reliability of service to the adjoining property owner and has requested an electrical easement along city-owned property. The total size of the easement is 2,394.7 square feet. This easement is necessary to protect APS's existing land rights and facilities in this location.

The recommendation was to waive reading beyond the title and adopt an ordinance authorizing the City Manager to execute a utility easement in favor of Arizona Public Service Company.

Ordinance No. 2493 New Series was read by number and title only, it being **AN ORDINANCE OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN ELECTRICAL EASEMENT IN FAVOR OF ARIZONA PUBLIC SERVICE COMPANY FOR THE INSTALLATION OF POWER LINES AND RELATED FACILITIES AT THE ARROWHEAD RANCH WATER RECLAMATION FACILITY IN GLENDALE, ARIZONA; AND ORDERING THAT A CERTIFIED COPY OF THIS ORDINANCE BE RECORDED.**

It was moved by Martinez, and seconded by Goulet, to approve Ordinance No. 2493 New Series. Motion carried on a roll call vote, with the following Councilmembers voting "aye": Clark, Goulet, Lieberman, Eggleston, Martinez, Frate, and Scruggs. Members voting "nay": none.

PUBLIC HEARING – RESOLUTIONS

20. COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL ACTION PLAN FOR FY 2006-07

Mr. Larry Broyles, City Engineer presented this item.

This is a request for the City Council to conduct a public hearing and authorize submission of the Annual Action Plan for Fiscal Year 2006-07 to the U.S. Department of Housing and Urban Development (HUD). The Annual Action Plan outlines all proposed funding for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), American Dream Downpayment Initiative (ADDI), and Emergency Shelter Grants (ESG) program funds.

The Community Development Advisory Committee (CDAC), formulated its recommendations based upon the following funding priorities, approved by Council for FY 2006-07. These funding priorities were updated during the development of the City of Glendale's Five-Year Consolidated Plan.

FY 2006-07 Priorities:

- Housing rehabilitation programs
- Programs that benefit seniors and youth
- Programs that prevent homelessness
- Programs addressing social needs
- Programs related to quality of life issues
- Clearance and demolition of blighting conditions
- Programs or projects that help revitalization efforts throughout Glendale, with an emphasis in the redevelopment area

The Annual Action Plan is the implementation document that details how Glendale proposes to invest federal HUD funding to meet identified community needs.

The CDAC conducted an extensive review process for the use of FY 2006-07 CDBG, HOME, ADDI, and ESG program funds. This process included the review of 56 applications, formal presentations by each of the applicants, and the CDAC's funding recommendations.

CDBG

The city will receive approximately \$2,273,334 of CDBG funds for activities that benefit low-and moderate-income persons; aide in the elimination of slum and blight; and/or address an urgent community need. An additional \$124,959 of program income and unspent CDBG funds from activities completed in prior years has been allocated to fund physical improvements. The public service category provides funding to agencies such as St. Mary's/Westside Food Bank Alliance for home food delivery, and physical improvement projects such as the YWCA for the renovation of its facility so that it can continue to provide meals to eligible seniors. Other activities include voluntary demolition, residential housing rehabilitation programs, improvement of public facilities, and improvements to public infrastructure.

HOME

The city will receive approximately \$690,327 of HOME funds from the Maricopa County HOME Consortium. These funds are available for activities that will improve the supply of decent, safe, sanitary and affordable housing, such as new infill housing constructed by Habitat for Humanity and the acquisition and rehabilitation of older homes by Community Services of Arizona.

ADDI

The city will receive approximately \$18,113 in ADDI funds from the Maricopa County HOME Consortium. These funds are available for programs that increase homeownership among low-to moderate-income first-time homebuyers.

ESG

The city will receive approximately \$97,190 in ESG funds to provide assistance to families in danger of eviction or foreclosure by funding existing, successful programs that prevent homelessness. The funds can also be used to help operate existing shelters, such as the West Valley Child Crisis Center, which provides shelter to abused/abandoned children.

The Council received a staff memorandum on August 31, 2005, outlining the process utilized by the CDAC for determining the city's community needs. The needs identified in the memorandum remained consistent with those needs identified in Glendale's Five-Year Consolidated Plan for Fiscal Years 2005 through 2009. The required 30 day public comment period began on February 24, 2006 after CDAC Chairman Robert Koehler sent Council a memo containing the committee's final recommendations for Fiscal Year 2006-07.

Since Fiscal Year 1977-78, Glendale has received \$42,895,810 in CDBG fund allocations to assist thousands of homeowners and individuals with services that provide safe, decent housing, and improve their living conditions. Public service programs, such as homeless prevention and senior, youth, and disabled services, provide a compassionate hand to those in need. Physical improvement projects are the bricks and mortar part of the program. The housing rehabilitation programs provide funding for much needed repairs for heating and cooling systems, electrical, plumbing, and other critical components.

Since Fiscal Year 2004-05, the city has received \$196,743 of ESG fund allocations to specifically assist with homelessness.

Since 1992, Glendale has received \$7,696,997 in HOME/ADDI program fund allocations that are used specifically for housing-related programs. The HOME Program has funded the construction of many new single-family homes and has helped preserve existing homes.

The citizen participation process conducted for the use of Fiscal Year 2006-07 HUD federal funding included the following actions:

On August 4 and 11, 2005, public notices announcing the Fiscal Year 2006-07 CDBG/ESG/HOME grant application cycle and orientation meeting were published in The Glendale Star.

On August 8, 2005, a notice announcing the Fiscal Year 2006-07 CDBG/ESG/HOME grants application cycle and orientation meeting was mailed to prospective applicants.

On August 18, 2005, the Community Revitalization Division staff met with grant applicants to discuss Council priorities, the application process, and evaluation criteria.

On October 12, 2005, the CDAC received the grant applications for its review.

On November 9, 10, and 16, 2005, the CDAC conducted public hearings where applicants were given an opportunity to present their applications before the committee.

On November 12, and 17, 2005, the CDAC conducted public meetings to formulate its funding recommendations for Council review.

The CDBG, HOME, ADDI, and ESG programs are federally funded. The CDBG program does not have a match requirement. The HOME program does require a 25% match from non-federal funds, and the ESG program requires a 100% match.

An annual match allocation of \$25,000 is provided in the General Fund budget as a supplement towards the required 25% match requirement for HOME projects administered by the city. The total match needed for the city's projects could exceed \$63,110, depending on the projects. Even so, no additional general funds are necessary, as the additional match needed will be provided by match carryover and other eligible in-kind resources such as donated materials or volunteer hours. Outside agencies that apply for HOME funds must provide the 25% required matching funds (or a pre-agreed portion) for their projects.

The ESG funding will be allocated to outside agencies. The agencies that apply for these funds will be required to provide the 100% required matching funds.

| Grants | Capital Expense | One-Time Cost | Budgeted | Unbudgeted | Total |
|--------------|-----------------|---------------|----------|------------|-------------|
| CDBG X | | | | | \$2,273,334 |
| HOME X | | | | | \$690,327 |
| ADDI X | | | | | \$18,113 |
| ESG X | | | | | \$97,190 |
| General Fund | | | X | | \$25,000 |

Account Name, Fund, Account and Line Item Number:

Community Development Block Grant (CDBG), Fund 11
HOME Investment Partnerships (HOME), Fund 10
American Dream Downpayment Initiative (ADDI), Fund 10
Emergency Shelter Grants (ESG), Fund 38
General Fund, Fund 01

The recommendation was to conduct a public hearing, waive reading beyond the title and adopt a resolution authorizing the approval of the Annual Action Plan for FY 2006-07, and its submission to the U.S. Department of Housing and Urban Development.

Mayor Scruggs opened the public hearing on Agenda Item No. 20.

Ms. Michele Michaels, a representative from the Valley Center of the Deaf, said Valley Center of the Deaf has received CDBG funding for the past seven years and has been able to help thousands of people in Glendale as a result. She expressed concern, however, that their ability to provide services will be greatly impacted, particularly in the Ocotillo and Yucca Districts, when their funding is cut in July. She explained people who cannot hear become isolated and depressed if they have no one to reach out to for assistance. She said, while she understands the city receives a tremendous number of requests for funding, she asks the Council to look for funding from other sources that will allow her organization to continue its outreach to the hearing impaired community.

Mayor Scruggs closed the public hearing.

Resolution No. 3947 New Series was read by number and title only, it being **A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, MARICOPA COUNTY, ARIZONA, APPROVING AND AUTHORIZING SUBMISSION OF THE FISCAL YEAR 2006-07 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AND FOR ACCEPTING A COMMUNITY DEVELOPMENT BLOCK GRANT IN THE AMOUNT OF \$2,273,334; A HOME INVESTMENT PARTNERSHIPS PROGRAM ALLOCATION IN THE AMOUNT OF \$690,327; AMERICAN DREAM DOWNPAYMENT INITIATIVE FUNDING IN THE AMOUNT OF \$18,113; AND EMERGENCY SHELTER GRANTS FUNDING IN THE AMOUNT OF \$97,190.**

It was moved by Frate, and seconded by Goulet, to pass, adopt and approve Resolution No. 3947 New Series. The motion carried unanimously.

REQUEST FOR FUTURE WORKSHOP AND EXECUTIVE SESSION

It was moved by Eggleston, and seconded by Martinez, to hold a City Council Budget Workshop at 8:30 a.m. in Room B-3 of the City Council Chambers on Tuesday April 4, 2006; to hold a City Council Workshop at 1:30 p.m. in Room B-3 of the City Council Chambers on Tuesday, April 4, 2006, to be followed by an Executive Session pursuant to A.R.S. 38-431.03; and to hold a City Council Budget Workshop at 8:30 a.m. in Room B-3 of the City Council Chambers on Tuesday, April 11, 2006, to be followed by an Executive Session pursuant to A.R.S. 38-431.03. The motion carried unanimously.

CITIZEN COMMENTS

Mr. Leonard Clark, a resident of the City of Glendale Barrel resident, said he has been away for about 15 months serving in the military and he sincerely appreciates the opportunity to speak in a democratic forum in what he considers to be the best city in the world. He stated he has seen some of the worst cities and is thrilled to be back in Glendale. He said, while he believes Glendale is a city of brotherly and sisterly love, since returning from Mesopotamia he has noticed a quiet underlying hostility in the country that he hopes will not spread to Glendale. He stated quite a few of his friends earned purple hearts and he would like to see purple heart veterans of any war be given the opportunity to attend the Super Bowl. He said, while he understands it is not the Council's decision, he would like the Council to champion the idea. With regard to the Supreme Court decision concerning eminent domain, he commented he and his fellow soldiers were horrified by the decision. He stated, while he supports such actions if they are truly in the best interest of the public, he does not believe the city should use its power to help private interests.

Mr. Harry Shapiro, a resident of the City of Glendale Sahuaro district, asked the City of Glendale to preserve the memory of and honor Marty Robbins. He pointed out many cities around the country hold events in honor of local residents who have done well. He said, for instance, Tombstone holds an event to honor Wyatt Earp simply because he lived there at one time in his life. He stated the event has helped the residents and businesses in the community and attracted visitors to the town. He said a similar story could be told about Rex Allen days in Wilcox and Andy Devine Days in Kingman. He said honoring Marty Robbins would bring added visibility to Glendale. He suggested they name the bridge over Grand Avenue the "Marty Robbins Memorial Bridge" and they create Marty Robbins Days, a weekend long event the weekend after Fiestas Patrias. He stated the event would bring money to downtown businesses and people to the community. He said he would also like the city to do what it can to keep the Marty Robbins Exhibit and Museum open.

Mr. Milt Deeever, a resident of the City of Glendale Cholla district, said after speaking at the Council's last meeting he met with Mr. Reedy and Mr. O'Neil to discuss water issues. He stated he was pleased with the information he received. On another subject, he said the city's bond redemption program deserves attention, pointing out the arena bond program nearly doubled the city's long term debt from \$442 million to \$811 million. He said revenues from arena related sales taxes during the first three years were only \$15.5 million; however, the city paid \$33.3 million to bond holders during that same timeframe. He stated the city was responsible for the difference between the amount collected in revenue and the amount paid to bond holders, explaining it amounted to \$4.5 million in 2004, \$7.8 million in 2005 and \$5.4 million in 2006. He pointed out the city sold 1,000 bonds for \$5 million to cover the first shortfall and listed the proceeds as revenue, noting the sources of funds for 2005 and 2006 were not identified. He stated the 800,000 square feet of retail space in Westgate has yet to materialize and Westgate has, in fact, contributed little if any revenue to date. He asked if anyone in the city has calculated the revenue lost due to the lack of

performance by Westgate. He stated 16 revenue streams were rapidly put together just before the signing of the agreements, noting only four of those revenue streams has contributed to date. He suggested they spend time chasing down the other revenue streams.

Ms. Cindy Dong, a resident of the City of Phoenix, said she represents RealCountryMusic.org who supports Mr. Shapiro's suggestion as well as the request made by the Friends of Marty Robbins. She stated remembering Marty extends beyond his music to the legacy he left behind. She said she has spoken with people outside of Arizona to see how they feel about Marty Robbins and his place in history. She stated steel guitar player, Emit Roche, told her Marty was a rare singer who had total control over his voice and who did more than sing a song. She stated Houston radio broadcaster, Sam Sattler, told her every young boy and man growing up in Texas dreamed about the cowboy way and were all drawn to Marty Robbins and Johnny Cash as interpreters of that way of life. She said country music star Joe Diffy is a huge Marty Robbins fan who considers "Don't Worry About Me" his favorite song. She said Mr. Diffy told her Marty Robbins was very influential in his career and he wishes he had had an opportunity to meet him. She stated western music performer, Kevin Blanford, does tributes to Marty Robbins and has an unmistakably Marty Robbins sound to his music and voice. She said Mr. Blanford considers Marty Robbins the Garth Brooks of his time, breaking new ground and opening new doors. She stated he pointed out Marty Robbins' Gunfighter Ballads Album won the first Grammy ever awarded to a country album. She explained much of who Marty Robbins was and what he brought to music came from his roots in Arizona and Marty Robbins should be considered Arizona's favorite son. She said in addition to his signing, Marty Robbins is also remembered for his song writing, noting Portland Oregon radio broadcaster, Roy Ryan, said Marty Robbins wrote two of his favorite Loretta Lynn songs. She stated Buzz Allen, webmaster for Pioneer Pepper and the Sunset Pioneers, said Phoenix's favorite son, Marty Robbins, has influenced the entire entertainment industry. She said he went on to say Marty's song "Man Walks Among Us" predicts the pristine southwest desert would give way one day to houses on every hill. She said Mr. Allen stated, while Marty may be gone, his legacy will live for generations to come. Ms. Dong stated, while Marty has passed on, his music is still played on the radio and his CD's are still purchased regularly. She stated it is not unusual for worldwide listener voted polls to put Marty in the top of the ranks, noting as of the week of March 6, 2006 he was in the top 12 on RAM Radio with "Hang My Head and Cry". She agreed Glendale should immortalize Marty Robbins by naming a bridge after him. Ms. Dong said growing up in the area she found the big city to be scary, but she knew that Marty Robbins grew up in Glendale and that he stood for faith and courage. She said she felt if he could live here she could too and thirty years later she feels Glendale is a lot like Marty, having had the courage and faith to change into one of the most desirable destinations in Arizona.

Ms. LaVerne Koll, a resident of the City of Phoenix, said, while she does not live in Glendale, she has many close ties to the community having taught 7th and 8th grade in the Glendale Elementary School District for over 30 years. She said she has many friends in Glendale and shops in Glendale and the Council is to be commended for the wonderful job they have done. She stated Glendale has the opportunity to name a bridge in honor of Marty Robbins and to keep open the Marty Robbins exhibit.

Ms. Juanita Buckley, a resident of the City of Glendale Cholla district, said she would love to see the bridge named after Marty Robbins, noting he was not only a singer and songwriter, but an actor and racecar driver as well. She agreed Glendale would benefit from hosting a two-day or three-day festival in Marty's honor. She asked members of the audience who are in favor of naming the bridge the "Marty Robbins Memorial Bridge" to stand. She said, unfortunately, she has closed the Marty Robbins exhibit, noting her house is currently in escrow. She stated, however, she would like to keep the exhibit open in Glendale.

COUNCIL COMMENTS AND SUGGESTIONS

Councilmember Clark thanked Ms. Gorham for an excellent Glendale's Got Game event, stating residents got to meet the various partners and know that Glendale is working hard to ensure the mega events are wonderful experiences for anyone that comes to Glendale. In response to Ms. Michael's comments concerning people who are deaf or hard of hearing, she said she could relate since her father is hard of hearing. She stated it has brought a whole new dimension into her life and she hopes they can find discretionary funding to assist the deaf in the community.

Councilmember Goulet thanked Glendale Firefighter, Daniel Valenzuela, and Fire Chief Mark Burdick as well as the entire Glendale Fire Department, Phoenix Fire Department and the Bombaros for the health fare at Murphy Park last weekend.

Councilmember Lieberman thanked all of the Marty Robbins fans for attending, stating they have his support. He noted speaking with Ronnie Robbins recently, stating he is sending paperwork indicating his willingness to allow the City of Glendale to use his father's name.

Councilmember Frate noted Neighborhood Day at the State Capital has been cancelled due to inclement weather. He urged everyone to use their seatbelts and to watch children around water.

ADJOURNMENT

They're being no further business; the meeting was adjourned at 9:48 p.m.

Pamela Hanna - City Clerk